

VACATION

Improvement Res. No. 910-1955

Which provides for the Vacation  
of the alley between Southwood  
Avenue and Stratford Road from  
the south property line of  
Pettit Avenue to its southern  
terminus, and also the first  
alley south of Pettit Avenue  
from the west property line of  
~~Resolution Adopted:~~ Southwood Avenue  
to its western terminus.

~~May 17, 1955~~

~~Confirmed:~~

Plans Ordered: May 17, 1955

~~Confirmed:~~

Bids Received: June 16, 1955

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Comfirmed:

Sept. 15, 1955

For the Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ of the alley between Southwood Avenue and Stratford Road from the south property line of Pettit Avenue to its southern terminus, and also the first alley south of Pettit Avenue from the west property line of Southwood Avenue to its western terminus.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the alley between Southwood Avenue and Stratford Road from the south property line of Pettit Avenue to its southern terminus, and also the first alley south of Pettit Avenue from the west property line of Southwood Avenue to its western terminus.

All as shown by a plan of such proposed ~~Opening~~ Vacation ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ is described as follows: Lots 1 to 29 inclusive, Southwood Park Addition, Section G and part of Lot No. 6, R.L. Britton Estate. Both additions inclusive to the City of Fort Wayne, Indiana.

~~All lots and lands~~

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplemental<sup>5</sup> thereof.

The vacation of the above described ~~Street and~~ alleys shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described vacation are situated in Sections Twenty-two and twenty-three, Township 30 north, Range 12 east, and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

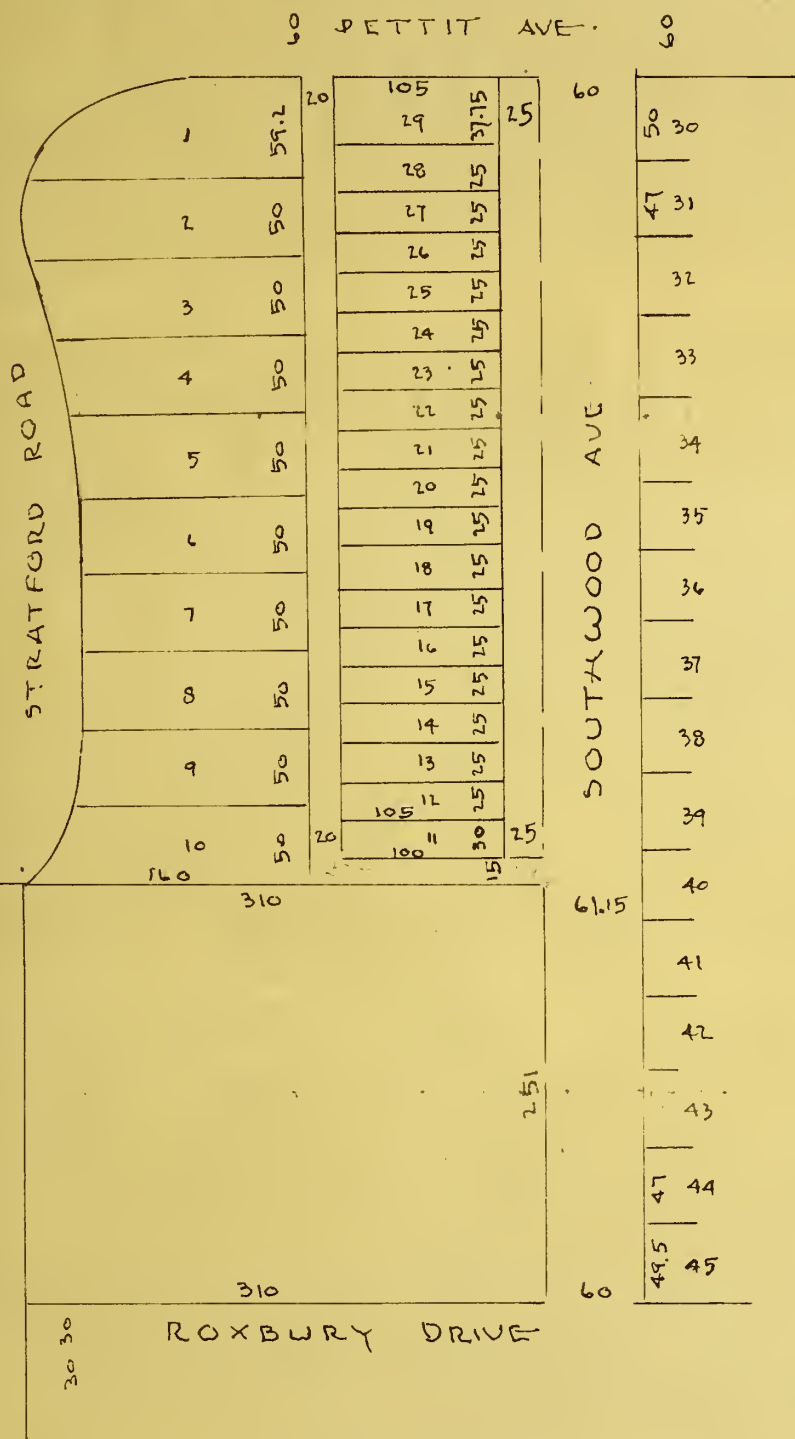
ADOPTED THIS 17th DAY OF May, 1955.

Attest: J. P. Walker  
Secretary Board of Public Works.

Frank K. Ross  
Chas. M. Darling  
Board of Public Works.



PLAN of VACATION  
Street and alleys  
SOUTHWOOD PARK ADDITION, Section "G"



CERTIFICATE of SURVEY:

I, the undersigned, A. K. Hofer, Civil Engineer, registered No. 72 in Indiana, hereby certify that the partial plat hereon shown, presents accurately the position and dimensions of the alleys and street portions to be vacated by this declaratory instrument of the Owners of the properties hereinafter described.

*A. K. Hofer*  
A. K. Hofer

APPROVED: March 21, 1955

CITY PLAN COMMISSION

APPROVED: March 22, 1955

BOARD of PUBLIC WORKS

Hamilton Hunter, Inc., an Indiana Corporation, hereby declares that it is the Owner of Lots Numbered (1) to (40) consecutively and inclusive, in the plat of Southwood Park Addition, Section "G", as recorded in Plat Book 14, page 16, in the Office of Recorder of Allen County, Indiana, and does hereby annul and vacate the following described public alleys and portion of a street as in said plat recorded, to-wit:

- (1) The alley as platted, 20 feet in width, lying between Southwood Avenue and Stratford Road, and extending southward of the south line of Pettit Avenue to the south terminus of said alley.
- (2) The alley as platted, 15 feet in width, lying next south of and adjoining Lot 11 of said plat extending westward of Southwood Avenue 105 feet.
- (3) The west 25 feet of Southwood Avenue, as platted 85 feet in width, extending from the south line of Pettit Avenue southward to the north line of the public school site as in said plat recorded. Said Hamilton Hunter, Inc., further declares, that there exist no Public Utility Structures of any kind within said alley and street, and that the said vacations are



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preparatory to the replatting of the area described at Lots (1) and (29) inclusive; all being subject to the approval of the City Plan Commission, and the Board of Public Works of the City of Fort Wayne.

IN WITNESS WHEREOF, Hamilton Hunter, Inc., has caused its corporate name to be hereto subscribed by its President and its Corporate Seal to be hereto affixed and attested by its Secretary, this       day of March, 1955.

HAMILTON HUNTER, INC.

ATTEST:

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Hamilton W. Hunter, President

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Virginia G. Hunter, Secretary

STATE OF INDIANA)

(SS:

COUNTY OF ALLEN )

Before me, a Notary Public appeared in person on this 21th day of March, 1955, the aforementioned Hamilton W. Hunter, and Virginia G. Hunter, President and Secretary, respectively of Hamilton Hunter, Inc., and acknowledged their execution of this instrument to be their voluntary act and deed.

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Wiladine K. Dammeyer - Notary Public

My commission expires

January 31, 1959  
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